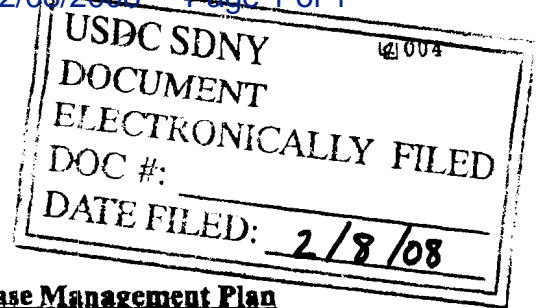


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JUDGE BERMAN

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKClifford Foster, Jr.
Plaintiff(s),

- v -

Hard Rock Cafe International
(USA) Inc.,
Defendant(s).

Case Management Plan

07 CV. 11559 (RMB)

The following Case Management Plan is entered after consultation with the parties. This Plan is also a Rule 16 and Rule 26(f) scheduling order as required by the Federal Rules of Civil Procedure.

- (i) Joinder of additional parties by 3/7/08
 - (ii) Amend the pleadings by 5/7/08
 - (iii) All discovery to be expeditiously completed by ~~6/13/08~~ 6/13/08 **FACT + EXPERT**
 - (iv) Consent to Proceed before Magistrate Judge NO
 - (v) Status of settlement discussions Parties will discuss with principle on 6/16/08
- Sections vi through xi will be set at conference with the Court. **9:30**
- (vi) Motions SEE COURT'S RULES
 - (vii) Oral Argument _____
 - (viii) Joint Pre-Trial Order to be submitted by _____
 - (ix) Final Pre-Trial Conference _____
 - (x) Trial _____
 - (xi) Other _____

SO ORDERED: New York, New York

2/8/08RMB

Hon. Richard M. Berman, U.S.D.J.